Federal and State Environmental Quality Act Coordination

Nancy Werdel, Environmental Manager
Sierra Nevada Region

NEPA Requires Federal agencies designate a lead federal agency

- Who is federal lead is based on:
  - Magnitude of agency involvement
  - Approval authority
  - Expertise
  - Duration of involvement
  - Sequence of involvement

Section 1501.5

There is Cooperating or Joint Lead Agencies When:

- More than one federal or a state or local government is involved.

- There is jurisdiction by law.

- The lead agency requests special expertise of another agency.

Section 1501.6

It is the Lead Federal Agency's Responsibility to Assure Compliance with Federal Laws and Regulations

Responsibilities Include:

- ESA Consultation with USFWS

- NHPA Consultation with SHPO

- NEPA Implementing procedures/processes of joint/co-lead agencies

- USACE Permits (applicant)

- EPA Permits (applicant)

- Government to Government relations with Native Americans

Section 1501.6

Western Prepared "General Requirements for Interconnection" in Response to FERC Order 888

- Requires system impact studies (pg. 16)
  - used in AFC
- Requires environmental review (pg. 13)
  - joint Western/CEC process
- Located on http://www.wapa.gov

NEPA Requires "Elimination of duplication with state and local process."

- full cooperation

- joint planning process

- joint research, studies and assessments

- joint public hearings

- joint documents

- reconcile difference between laws

Western/CEC Prepared Memorandum of Understanding

- Designates CEC state lead
- Designates Western federal lead
- Outlines technical responsibilities
- Outlines administrative responsibilities
- Used on Sutter and Blythe Power Projects

Further Streamlining
of Processes Continues

- DOE Implementing Procedures (10 CFR Part 1021) allows DOE to consider "…extraordinary circumstances related to the specific proposal that may affect the significance of environmental impacts of the proposal."

- For many projects, this allows Western to prepare an EA instead of an EIS due to coordination with the CEC process. (Blythe)